

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICIA ARTHUR, Derivatively on Behalf
of MERRILL LYNCH & CO., INC.,

Plaintiff,

vs.

E. STANLEY O'NEAL, AHMASS L.
FAKAHANY, GREGORY J. FLEMING,
JEFFREY N. EDWARDS, CAROL T.
CHRIST, ARMANDO D. CODINA, VIRGIS
W. COLBERT, ALBERTO CRIBIORE, JOHN
D. FINNEGAN, JUDITH MAYHEW JONAS,
JOSEPH W. PRUEHER, ANN N. REESE,
CHARLES O. ROSSOTTI,

Defendant(s).

- and -

MERRILL LYNCH & CO., INC.,

Nominal Defendant(s).

Civil Action No. 07-cv-9696 (WHP)

NOTICE OF MOTION TO ADMIT
FRANK J. JOHNSON PRO HAC VICE

U.S. DISTRICT COURT
S.D. OF N.Y.
2008 FEB 25 AM 9:02

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Thomas G. Amon, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

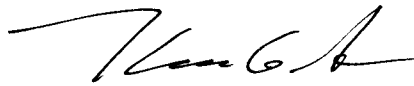
Applicant's Name: Frank J. Johnson
Firm Name: Johnson Bottini, LLP
Address: 655 West Broadway, Suite 1400
San Diego, CA 92101
Telephone: (619) 230-0063
Facsimile: (619) 233-5535

Frank J. Johnson is a member in good standing of the bar of the State of California. There are no pending disciplinary proceedings against Mr. Johnson in any State or Federal Court.

DATED: February 21, 2008
New York, New York

Respectfully submitted,

LAW OFFICES OF THOMAS G. AMON

A handwritten signature in black ink, appearing to read 'Thomas G. Amon', written over a horizontal line.

THOMAS G. AMON (TGA-1515)

250 West 57th Street
Suite 1316
New York, NY 10107
Telephone: (212) 810-2430
Facsimile: (212) 810-2427

Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

PATRICIA ARTHUR, Derivatively on Behalf of MERRILL LYNCH & CO., INC.,	:	Civil Action No. 07-cv-9696 (WHP)
	:	
Plaintiff,	:	AFFIDAVIT OF THOMAS G. AMON IN
	:	SUPPORT OF MOTION TO ADMIT
	:	FRANK J. JOHNSON PRO HAC VICE
vs.	:	
	:	
E. STANLEY O'NEAL, AHMASS L.	:	
FAKAHANY, GREGORY J. FLEMING,	:	
JEFFREY N. EDWARDS, CAROL T.	:	
CHRIST, ARMANDO D. CODINA, VIRGIS	:	
W. COLBERT, ALBERTO CRIBIORE, JOHN	:	
D. FINNEGAN, JUDITH MAYHEW JONAS,	:	
JOSEPH W. PRUEHER, ANN N. REESE,	:	
CHARLES O. ROSSOTTI,	:	
	:	
Defendant(s).	:	
	:	
– and –	:	
	:	
MERRILL LYNCH & CO., INC.,	:	
	:	
Nominal Defendant(s).	:	

[illegible]

THOMAS G. AMON, being duly sworn, hereby deposes and says as follows:

1. I am an attorney at the Law Offices of Thomas G. Amon, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Frank J. Johnson as counsel *pro hac vice* to represent Plaintiff in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in May 1974. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Mr. Johnson since 2007.

4. Mr. Johnson is a partner at Johnson Bottini, LLP, in San Diego, California.

5. I have found Mr. Johnson to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission of Frank J. Johnson, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Frank J. Johnson, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Frank J. Johnson, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

DATED: February 21, 2008
New York, New York

Respectfully submitted,

LAW OFFICES OF THOMAS G. AMON



THOMAS G. AMON (TGA-1515)

250 West 57th Street, Suite 1316
New York, NY 10107
Telephone: (212) 810-2430
Facsimile: (212) 810-2427

Sworn to before me this 21 day of February
2008


Notary Public

My Commission Expires:

HARRY H. WISE III
NOTARY PUBLIC-STATE OF NEW YORK
No. 02W16106451
Qualified in New York County
Commission Expires March 01, 2008



THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

February 7, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, FRANK JAMES JOHNSON, #174882 was admitted to the practice of law in this state by the Supreme Court of California on December 9, 1994; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert
Custodian of Membership Records

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Patricia Arthur, Plaintiff,
Derivatively on Behalf of Merrill
Lynch & Co., Inc.
- against -
E. Stanley O'Neal, et al. Defendant.

07 cv 9696 (WHP)

**ORDER FOR ADMISSION
PRO HAC VICE
ON WRITTEN MOTION**

Upon the motion of Thomas G. Amon attorney for Patricia Arthur
and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Frank J. Johnson
Firm Name: Johnson Bottini, LLP
Address: 655 West Broadway, Suite 1400
City/State/Zip: San Diego, CA 92101
Telephone/Fax: (619) 230-0063
Email Address: frankb@johnsonbottini.com

is admitted to practice pro hac vice as counsel for Patricia Arthur in the above
captioned case in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules governing
discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall
immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice
fee to the Clerk of Court.

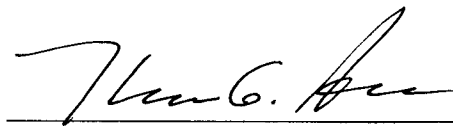
Dated:
City, State:

United States District/Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served upon the following this 22nd day of February, 2008:

Jay B. Kasner
Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036-6522

A handwritten signature in black ink, appearing to read "Thomas G. Amon", written over a horizontal line.

Thomas G. Amon (TGA-1515)